

REMARKS

Claims 1 - 20 are in this application and are presented for consideration. New claims 18 - 20 have been added.

Claims 1 - 17 have been rejected as being anticipated obvious over Anderson in view of Cohen.

The previous rejection was a 102(e) rejection again using Anderson. Applicant notes that Anderson and the present application are both assigned to the 3COM Corporation. Therefore Anderson and the present application are commonly owned by the same person/legal entity.

35 USC § 103(c) states:

(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Since the present rejection is a 103(a) rejection and Anderson has been previously cited under 102(e), 103(c) removes 103(a) rejection because of the common ownership of Anderson and the present application. Both the inventors of Anderson and the inventors of the present application were under an obligation of assignment to the 3Com Corporation, and made their respective inventions on behalf of a research agreement of the 3Com Corporation which was in effect before the date of the present application. The present application was made within

the scope of the research agreement of the 3Com Corporation, and the 3Com Corporation is disclosed in the present application.

If the Anderson reference is being applied under 102(a), the inventors are ready to prepare and submit an affidavit or declaration of prior invention, which would remove Anderson as 102(a) prior art.

Applicant notes that even if Anderson was prior art, the claims would still define over the applied prior art.

Claim 1 sets forth an input device associated with the display for selecting any of the telephone units from the conference call participating information. Claim 1 then sets forth that the input device drops the selected telephone unit from the conference call. Applicant finds no teaching nor suggestion of any structure in Anderson which can select any telephone unit and then drop that selected telephone unit from a conference call. This is especially true when the telephone unit that is dropped is one selected by an input device associated with a display.

The rejection indicates that this input device is disclosed in Anderson in column 5 lines 14-32. Applicant has reviewed this portion of Anderson and finds no teaching nor suggestion of any structure for selecting any telephone units from conference call participant information. Instead this portion of Anderson describes how a telephone set receives voice data packets and produces audio signals from the voice data in the packets. This portion describes discarding voice data packets, but only after they have been converted into audio.

This portion also describes a conference call in lines 27 through 34, and receiving a list of participants. However there is no indication that an input device selects any telephone unit, and then drops that selected telephone unit from the conference call.

Applicant notes that Anderson does describe removing conference call identifiers from

table 72 when the conference call ends. However Anderson does not describe any structure for actually ending the conference call, and certainly does not describe an input device associated with the display for selecting a telephone unit and then dropping that telephone unit from the conference call.

The reference of Cohen is used to disclose a display showing conference call participant information. Applicant has reviewed Cohen and finds no teaching nor suggestion of any structure in Cohen that would allow any telephone set from the conference call to be selected, and which would then drop that selected telephone set. Instead Cohen describes a conferencing apparatus with a central bridge server 12. This bridge server 12 collects all the participant information and send that out to the individual stations 14. The bridge server 12 also indicates the currently speaking participant in the list. However applicant finds no structure in Cohen which can select any of the participants from the list and then drop that selected participant from the conference call. The combination of Anderson and Cohen therefore fails to anticipate all of the features of claim 1, in particular the structure for selecting and dropping. Claim 1 therefore cannot be obvious in view of Anderson and Cohen.

Independent claims 8, 16 and 17 also set forth either an input device for selecting and dropping a participant from a list, or set forth a process for doing so. As described above, the combination of the applied prior art fails to teach or suggest this specific feature of selecting and dropping. Therefore claims 8, 16 and 17 also define over the applied prior art.

New claims 18 through 20 have been added to further emphasize the feature of selecting and dropping a participant from the list. These claims therefore further define over the applied prior art.

If the Examiner has any comments or suggestions which would further favorable

prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

At this time Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted
for Applicant,

By: 

Theobald Dengler
Registration No. 34,575
McGLEW AND TUTTLE, P.C.

TD:tf
70147.12

Attached: Petition for One Month Extension of Time

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS AMENDMENT IN RESPONSE TO THE OFFICE ACTION DATED AUGUST 10, 2005 AND THE PETITION FOR ONE MONTH EXTENSION OF TIME FOR SERIAL NO. 09/933,558 (15 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 571-273-8300 ON THE DATE SHOWN BELOW.

Toni Ann Fonte
NAME OF PERSON SIGNING CERTIFICATION

Toni Ann Fonte
SIGNATURE

DATED: December 8, 2005
McGLEW AND TUTTLE, P.C.
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
TELEPHONE: (914) 941-5600
FACSIMILE: (914) 941-5855